



State of New Hampshire  
**DEPARTMENT OF ENVIRONMENTAL SERVICES**

6 Hazen Drive, P.O. Box 95, Concord, NH 03302-0095  
(603) 271-3503 FAX (603) 271-5171



July 16, 2003

**LETTER OF DEFICIENCY #WSEB 03-049**  
**CERTIFIED MAIL 7099 3400 0003 0692 1238**

David Sands  
LOV Water Co., Inc.  
Route 16 at the Tramway Marketplace  
PO Box 698  
West Ossipee, NH 03890

Subject: Freedom – Public Water System: LOV Water Co., Inc. (EPA #0862010)

Dear Mr. Sands:

The records of the Department of Environmental Services (DES) show that LOV Water Co., Inc. water system is classified as a public water system (PWS), as defined by RSA 485:1-a. A PWS is defined as any water system serving 15 or more services, or 25 or more people for 60 or more days per year. As such, the water system owner is required to comply with NH Administrative Rule Env-Ws 300, the *New Hampshire Drinking Water Rules*.

**BACTERIA CONTAMINATION**

Pursuant to Env-Ws 325, a water system owner is required to submit samples to the State laboratory or a State-certified laboratory for coliform bacteria analysis. DES records show that Standard Maximum Contaminant Level (MCL) violations for total coliform bacteria, as defined in NH Admin. Rule Env-Ws 315.01, have occurred and that letters of violation were issued for June 2003 and July 2003.

DES believes the bacteria MCL violations can be corrected and future violations prevented by taking the following actions:

- By July 29, 2003**, retain the services of a qualified water system consultant to address the system's water quality problems relative to the recent bacteriological occurrences; and
2. **By August 13, 2003**, submit to DES for review a copy of the consultant's report which shall include recommendations to correct the bacteria contamination; and
- 3 **By August 22, 2003**, submit to DES for review and approval an implementation schedule which identifies specific dates by which steps to correct the bacteria contamination will be accomplished.

### **CORROSION CONTROL TREATMENT**

DES records also show that the water system has exceeded the copper action level of 1.3 mg/L during the past two rounds of sample results. On May 12, 2002, a Notice of Violation (NOV) was issued to you for failure to install optimal corrosion control treatment. By letter dated June 10, 2002, DES requested that optimal corrosion control treatment be installed by December 31, 2002. After your consultation with DES staff, the deadline was extended to June 30, 2003, as stated in a letter from DES to you, dated February 11, 2003. To date, the water system has not submitted a corrosion control treatment proposal to DES for approval, thus placing the system in violation of Env-Ws 381.08. Without DES approval, no treatment process can be added to the water system.

DES believes the violation for failure to install an approved corrosion control treatment process can be corrected and future violations prevented by taking the following actions:

- By September 30, 2003**, submit to DES for approval an optimal corrosion control treatment proposal; and
- 2. **Within 30 days of DES approval**, install the approved optimal corrosion control treatment equipment.

### **EMERGENCY PLAN**

Pursuant to Env-Ws 360.14, the water system owner was required to submit an Emergency Plan to DES by March 15, 2003. On or about March 21, 2002, DES sent the subject water system a letter that explained the requirements of the Emergency Plan rule, noted the deadline of March 15, 2003, for submission of the Emergency Plan to DES, and indicated how to obtain assistance in preparing the Emergency Plan. DES records indicate that the water system did not submit an Emergency Plan by the March 15, 2003 deadline. DES records show that the water system was sent a second letter, dated March 31, 2003, which noted the failure of the system to submit an Emergency Plan to DES by the March 31, 2003 deadline and requested that the Emergency Plan be submitted by June 30, 2003.

To date, the system has not submitted an Emergency Plan to DES, thus placing the system in violation of Env-Ws 360.14.

DES believes the Emergency Plan violation can be corrected by taking the following action:

- By August 31, 2003**, submit to DES an Emergency Plan that meets the requirements of Env-Ws 360.14.

Guidance documents and instructions for completing an Emergency Plan, along with information for free, on-site assistance are available at [www.des.state.nh.us/wseb/EmergencyPlanning/index.asp](http://www.des.state.nh.us/wseb/EmergencyPlanning/index.asp).

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Please contact Johnna McKenna at (603) 271-7017 or by email at [jmckenna@des.state.nh.us](mailto:jmckenna@des.state.nh.us), if you have any questions regarding the preparation and submission of the Emergency Plan.

In the event compliance is not achieved within these time periods, DES may take further enforcement action, including issuing an order requiring the deficiencies be corrected, initiating an administrative fine proceeding and/or referring the matter to the NH Department of Justice for imposition of appropriate penalties.

Copies of all written submissions as requested above should be addressed as follows:

Alan Leach  
Department of Environmental Services  
Water Supply Engineering Bureau  
6 Hazen Drive, P.O. Box 95  
Concord, NH 03302-0095

Please contact Alan Leach by phone at (603) 271-2854, or by e-mail at [aleach@des.state.nh.us](mailto:aleach@des.state.nh.us) if you have any questions regarding this letter.

Sincerely,



**COPY**  
Anthony P. Giunta, P.G., Administrator  
Water Supply Engineering Bureau

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cc: Gretchen Rule, DES Legal Unit  
Warren Anthony, Health Officer, Town of Freedom  
Arthur Tardie, Primary Operator  
NH Public Utilities Commission  
EPA Region I